

IN RE: PETITION FOR ZONING VARIANCE
N/S North Point Road, 104.47'
E of Wallace Road
(3308 - 3312 North Point Road)
15th Election District
7th Councilmanic District

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 93-19-A

Lois L. Ruckman
Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Zoning Variance filed by the legal owner of the subject property, Lois L. Ruckman. The Petitioner requests relief from Section 1801.2.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setbacks of 7 feet in lieu of the minimum required 15 feet for a proposed dwelling, side yard setbacks of 7 feet and 12 feet in lieu of the minimum required 15 feet for each and a front yard setback of 15 feet in lieu of the required 25 feet for an existing dwelling, and a panhandle width of 16 feet in lieu of the required 20 feet, all as more particularly described on Petitioner's Exhibit 1.

Appearing on behalf of the Petition were Lois L. Ruckman, property owner, and Robert Long, her son. There were no Protestants.

Testimony indicated that the subject property, known as 3308, 3310, and 3312 North Point Road, consists of 0.54 acres more or less, zoned D.R. 10-5, and is improved with two dwellings, a one-story frame dwelling known as 3310 North Point Road and a one and one-half story dwelling known as 3312 North Point Road. The Petitioner is desirous of subdividing the property to create three lots and developing the third lot, known as 3308 North Point Road, with a single family dwelling for her son in accordance with Petitioner's Exhibit 1. Testimony indicated that the

Two existing dwellings and panhandle drive were built in the 1920's prior to the establishment of the B.C.Z.R. and that the requested variances are necessary to bring existing improvements into compliance with current zoning regulations.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel.

In addition, the variance requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the Petitioner's request is in strict harmony with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 14th day of September, 1992 that the Petition for Zoning Variance requesting relief from Section 1801.2.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setbacks of 7 feet in lieu of the minimum required 15 feet for a proposed dwelling, side yard setbacks of 7 feet and 12 feet in lieu of the minimum required 15 feet for each and a front yard setback of 15 feet in lieu of the required 25 feet for an existing dwelling, and a panhandle width of 16 feet in lieu of the required 20 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

Baltimore County Government
Zoning Commission
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

September 16, 1992

(410) 887-4386

Ms. Lois L. Ruckman
3827 Annadale Road
Baltimore, Maryland 21222

RE: PETITION FOR ZONING VARIANCE
N/S North Point Road, 104.47' E of Wallace Road
(3308 - 3312 North Point Road)
15th Election District - 7th Councilmanic District
Lois L. Ruckman - Petitioner
Case No. 93-19-A

Dear Ms. Ruckman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered in unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3351.

Very Truly yours,

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: People's Counsel

File

ORDER RECEIVED FOR FILING
Date 9/14/92
By [Signature]

ORDER RECEIVED FOR FILING
Date 9/14/92
By [Signature]

ORDER RECEIVED FOR FILING
Date 9/14/92
By [Signature]

- 2 -

- 3 -



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 3312 Old North Point Rd., Baltimore, MD
which is presently zoned DR10-5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 3312 and a front setback of 15 ft. for proposed #3312 in lieu of the minimum required 15, 15 and 25 ft. respectively.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

To correct an existing condition that was created prior to BC Zoning Regulations
Further comments to be made at time of hearing.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee

Lois L. Ruckman
(Type or Print Name)

Signature

3827 Annadale Road
Address

Baltimore, MD 21222
City State Zipcode

Attorney for Petitioner

3827 Annadale Road
(Type or Print Name) Address

Baltimore, MD 21222
City State Zipcode

Signature

Lois L. Ruckman
Name

3827 Annadale Road
Address

Baltimore, MD 21222
City State Zipcode

(We do solemnly declare and affirm, under the penalties of perjury, that true are the legal owner(s) of the property which is the subject of this Petition.)

(Legal Owner(s))

Lois L. Ruckman
(Type or Print Name)

Lois L. Ruckman
Signature

(Type or Print Name)

3827 Annadale Road
Address

Baltimore, MD 21222
City State Zipcode

Phone No. 388-1974

Office Use Only

ESTIMATED LENGTH OF HEARING 1.00 hr.

RECEIVED BY [Signature] DATE 7-27-92

Phone: 687-4922

FRANK S. LEE

Registered Land Surveyor

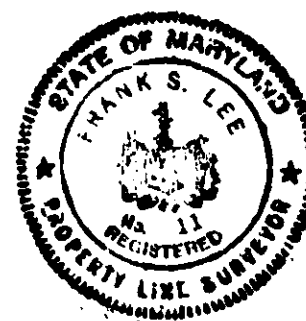
1277 NEIGHBORS AVE. - BALTIMORE, MD. 21237

July 10, 1992

No. 3312 North Point Road
15th District Baltimore County, Maryland

Beginning for the same on the north side of North Point Road at the distance of 104.47 feet measured easterly along the north side thereof from the east side of Wallace Road, thence binding on the north side of North Point Road South 83 degrees 41 minutes 40 seconds East 104.47 feet, thence running for , four lines of division as follows: North 6 degrees 18 minutes 20 seconds East 199.38 feet, North 58 degrees 06 minutes 20 seconds West 87.40 feet, South 83 degrees 56 minutes 24 seconds West 26.26 feet and South 6 degrees 18 minutes 20 seconds West 231.50 feet to the place of beginning.

Containing 0.54 acres of land



CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 15th

Date of Posting 7/10/92

Posted for: Variance

Petitioner: Lois L. Ruckman

Location of property: No. 3312 North Point Rd., Baltimore, Md.

Location of Sign: Front of property

Remarks: None

Posted by: [Signature]

Date of return: 7/10/92

Number of Signs: 1

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Date 7-24-92

Account: R-001-6150

Number #10

Robert Long
In 3312 North Point Rd
Residential Zoning Variance
plg to

receipt

DAVID:40135N1CHRC
BA 001:17407-24-92
Please Make Checks Payable To: Baltimore County

\$50.00

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Date

PUR TO BE PAID TO THE

DATE OF POSTING

LAST DATE OF POSTING

Account: R-001-6150

Number

Cashier Validation

Please Make Checks Payable To: Baltimore County

Baltimore County
Zoning Administration & Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

Date

Account: R-001-6150

Number

93-19

receipt

PUR TO BE PAID TO THE

DATE OF POSTING

LAST DATE OF POSTING

DAVID:40404N1CHRC
BA 003:159P09-21-92
Please Make Checks Payable To: Baltimore County

\$67.62

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

DATE: 9/2/92

RE: CASE #93-19-A (Item 10)
N/S North Point Road, 104.47' E of Wallace Road
3312 North Point Road
15th Election District - 7th Councilmanic
Petitioner(s): Lois L. Ruckman
HEARING: TUESDAY, SEPTEMBER 8, 1992 at 9:00 a.m. in Rm. 118, Old Courthouse

Dear Petitioner(s):

Please be advised that \$ 67.62 is due for advertising and posting of the above captioned property and hearing date.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please forward your check via return mail to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 109, Towson, Maryland 21204. Place the case number on the check and make same payable to Baltimore County, Maryland. In order to avoid delay of the issuance of proper credit and/or your order, immediate attention to this matter is suggested.

Arnold Jablon
DIRECTOR

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

JULY 30, 1992

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE #93-19-A (Item 10)
N/S North Point Road, 104.47' E of Wallace Road
3312 North Point Road
15th Election District - 7th Councilmanic
Petitioner(s): Lois L. Ruckman
HEARING: TUESDAY, SEPTEMBER 8, 1992 at 9:00 a.m. in Rm. 118, Old Courthouse

Variance to allow a side yard setback of 7 feet for proposed #3308 and 12 feet for proposed #3312 and a front setback of 15 feet for proposed #3312 in lieu of the minimum required 15, 15 and 25 feet respectively.

Lawrence E. Schmidt
Zoning Commissioner of Baltimore County

cc: Lois L. Ruckman

NOTE: HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

August 31, 1992

Ms. Lois L. Ruckman
3827 Annadale Road
Baltimore, MD 21222

RE: Item No. 10, Case No. 93-19-A
Petitioner: Lois L. Ruckman
Petition for Variance

Dear Ms. Ruckman:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

Your petition has been received and accepted for filing this 27th day of July, 1992

Arnold Jablon
DIRECTOR

Received By:
W. Carl Richards Jr.
Chairman,
Zoning Plans Advisory Committee

Petitioner: Lois L. Ruckman
Petitioner's Attorney:

DPW/Developers Engineering Division (Public Services)
Development Review Committee Response Form
Authorized signature: Dennis D. Kennedy Date: 8/11/92

Project Name: Stonegate at Patapsco (Azeal Property)
File Number: 90476
ZON DED TE (Waiting for developer to submit plans first)

COUNT 1

Theresa A. Mahlstedt 4 7-13-92

DED DEPRM RP STP 6-1-92

COUNT 1

Owings Run Apartments 91360 7-20-92

DED DEPRM (SUM) (EIRD)

COUNT 1

Lois L. Ruckman 10 8-3-92 NC

DED DEPRM RP STP TE

Colonial Village Company 19 NC

DED DEPRM RP STP TE

James W. Jr. And Terry A. Hooke 20 NC

DED DEPRM RP STP TE

Arthur G. And Helen P. Magsamen 21 Comment

DED DEPRM RP STP TE

Fuchs Spices, U.S.A., Inc. 22 Comment

DED DEPRM RP STP TE

Susan J. Blum 23 Comment

DED DEPRM RP STP TE

Elise Boyce Kelsey, Trustee u/w Eliza Gillet Boyce Et Al 24 NC

DED DEPRM RP STP TE

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration & Development Management

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

DATE: August 13, 1992

SUBJECT: Lois L. Ruckman

INFORMATION:
Item Number: 10

Petitioner: Lois L. Ruckman

Property Size: 0.54 acres

Zoning: D.R. 10.5

Requested Action: Variance

Hearing Date: 9/8/92

SUMMARY OF RECOMMENDATIONS:
This petitioner is requesting a variance to allow a side yard setback of 7' for the house on 3308 North Point Road and to allow for a side yard setback of 12' and a front yard of 15' for the house on 3312 North Point Road.

The Office of Planning and Zoning recommends APPROVAL of the petitioner's request.

Prepared by: Francis McDaniel

Division Chief: Eric McDaniel

FW/EMC:rdn

RECEIVED
AUG 25 1992
ZONING OFFICE

10.ZAC/ZAC1

DPW/Traffic Engineering
Development Review Committee Response Form
Authorized signature: Robert J. Farnham Date: 8/10/92

Project Name: Stonegate at Patapsco (Azeal Property)
File Number: 90476
ZON DED TE (Waiting for developer to submit plans first)

COUNT 1

Eugene C. Salvo 18 W/C 7-27-92

DED DEPRM RP TE

COUNT 1

Lois L. Ruckman 10 N/C 8-3-92

DED DEPRM RP STP TE

Colonial Village Company 19 M/T

DED DEPRM RP STP TE

James W. Jr. And Terry A. Hooke 20 N/C

DED DEPRM RP STP TE

Arthur G. And Helen P. Magsamen 21 W/C

DED DEPRM RP STP TE

Fuchs Spices, U.S.A., Inc. 22 W/C

DED DEPRM RP STP TE

Susan J. Blum 23 M/T

DED DEPRM RP STP TE

Elise Boyce Kelsey, Trustee u/w Eliza Gillet Boyce Et Al 24 N/C

DED DEPRM RP STP TE

Raymond F. And Deborah D. Borsetti 25 N/C

DED DEPRM RP STP TE

Robert L. And Jeannette McElroy 26 N/C

DED DEPRM RP STP TE

Department of Environmental Protection & Resource Management
Development Review Committee Response Form
Authorized signature: Bruce A. Aulry Date: 8-24-92

Project Name: Stonegate at Patapsco (Azeal Property)
File Number: 90476
ZON DED TE (Waiting for developer to submit plans first)

COUNT 6

Lois L. Ruckman 10 8-3-92 no comments

DED DEPRM STP

Colonial Village Company 19 improves

DED DEPRM STP TE

James W. Jr. And Terry A. Hooke 20 written comments

DED DEPRM

Fuchs Spices, U.S.A., Inc. 22 improves

DED DEPRM STP

Susan J. Blum 23 improves

DED DEPRM STP TE

Elise Boyce Kelsey, Trustee u/w Eliza Gillet Boyce Et Al 24 improves

DED DEPRM STP

Raymond F. And Deborah D. Borsetti 25 no comments

DED DEPRM

Robert L. And Jeannette McElroy 26 no comments

DED DEPRM

Gary G. And Ilene S. Waitt 27 no comments

DED DEPRM STP

Bruce P. And India Y. Curry 6 written comments

DED DEPRM

Herbert B. And Edith G. Querido 7 written comments

DED DEPRM

Arthur Thomas Ward, III 9 improves

DED DEPRM

Baltimore County Government
Fire Department
700 East Joppa Road, Suite 901
Towson, MD 21204-5500
(410) 887-4500
AUGUST 4, 1992
Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: LOIS L. RUCKMAN
Location: #3312 ROCKY POINT ROAD
Item No.: 10 (J35) Zoning Agenda: AUGUST 3, 1992
Gentlemen:
Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.
7. The Fire Prevention Bureau has no comments at this time.

REVIEWED: [Signature] Noted and Approved
Planning Group Fire Prevention Bureau
Special Inspection Division

JF/RFK

RECEIVED
AUG 10 1992
ZONING OFFICE

Department of Recreation and Parks
Development Review Committee
Authorized signature: [Signature] Date: 8/10/92
Project Name: Theresa A. Mahstedt
File Number: 4
Waiver Number: No Comment
Zoning Issue: 7-13-92
Meeting Date: 7-13-92
COUNT 1
The Marsden Chevrolet, Inc.
RP STP 15 No Comment
Baltimore County General Hospital, Inc.
RP STP 16 No Comment
John R. and Mary A. Wortman
DEPRM RP STP 17 No Comment
Eugene C. Salvo
DEPRM RP TE 18 No Comment
COUNT 4
Lois L. Ruckman
DED DEPRM RP STP TE 19 No Comment
Colonial Village Company
DED DEPRM RP STP TE 20 No Comment
James W. Jr. and Terry A. Hooke
DED DEPRM RP STP TE 21 No Comment
Arthur G. and Helen P. Magsamen
DED DEPRM RP STP TE 22 No Comment
Fuchs Spices, U.S.A., Inc.
DED DEPRM RP STP TE 23 No Comment
Susan J. Blum
DED DEPRM RP STP TE

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold E. Jablon, Director
Office of Zoning Administration
and Development Management
DATE: November 19, 1992
FROM: J. James Dieter
SUBJECT: Petition for Zoning Variance - Item #10
Kidwell Property
Chesapeake Bay Critical Area Findings

RECEIVED
DEC 2 1992
ZONING OFFICE

SITE LOCATION
The subject property is located at 903 Thompson Blvd. The site is within the Chesapeake Bay Critical Area and is classified as a Limited Development Area (LDA).

APPLICANT'S NAME Mr. & Mrs. Stephen L. Kidwell

APPLICANT PROPOSAL
The applicant has requested a variance from section 1802.3.B of the Baltimore County Zoning Regulations to permit a side yard setback at 1 foot in lieu of the required 25 foot for an attached garage.

GOALS OF THE CHESAPEAKE BAY CRITICAL AREA PROGRAM

In accordance with the Chesapeake Bay Critical Area Program, all project approvals shall be based on a finding which assures that proposed projects are consistent with the following goals of the Critical Area Law:

- "Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have runoff from surrounding lands;
- Conserve fish, wildlife and plant habitat; and
- Establish land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts." <COMAR 14.15.10.01.0>

Mr. Arnold E. Jablon
November 19, 1992
Page 2

REGULATIONS AND FINDINGS

- Regulation: "A minimum 100 foot buffer shall be established landward from the mean high water line of tidal waters, tidal wetlands, and tributary streams" <Baltimore County Code Section 26-449(a)>. Finding: The proposed construction is located over 100 feet from the tidal waters of Back River. Therefore, no disturbance of the 100 foot buffer shall occur and the project is in compliance with this regulation.
- Regulation: "Dredging, filling, or construction other than approved bulkheading shall not be permitted in any non-tidal and tidal wetlands unless the proposed development consists of utility, bridge, or street development in a non-tidal wetland and unless the Director of Environmental Protection and Resource Management finds this proposed development not detrimental to the County's Wetland Management Programs" <Baltimore County Code, Section 26-447>. Finding: Non-tidal and tidal wetlands are not present on or within the immediate vicinity of this site. Therefore, no dredging, filling, or construction is proposed in any non-tidal or tidal wetlands for this project and this regulation has been met.
- Regulation: "The sum of all man-made impervious areas shall not exceed 15% of the lot" <COMAR 14.15.02.04 C.(7)>. Finding: The existing lot is 25,539 square feet in size. The proposed garage and driveway when added to existing impervious surface and with the removal of the existing driveway and shed, total 3284 square feet or 12.9% of the lot. The zoning variance has been written according to the applicant. The Applicant must remove the existing driveway (1576 square feet (6%)) in accordance with his variance. The plan submitted by the applicant will, if constructed per his variance, be in compliance with this regulation.
- Regulation: "For the alteration of forest or developed woodlands as delineated on the January, 1986 Baltimore County Forest and Developed Woodlands aerial photographs:
(1) No more than 20% of the sum of all forest and developed woodland may be cleared, and this shall be replaced by afforestation on a 1:1 acreage basis. An additional 10% of the forest or developed woodland may be cleared provided in such case, however, that every acre of forest or developed woodland cleared shall be replaced by 1.5 acres of afforestation.
(2) Forest or developed woodland cleared in LDAs shall be replaced in LDAs, LDAs, R.C. 20, or R.C. 50 Zones. Forest or developed woodland removed in the R.C. 20 or R.C. 50 Zones shall be replaced only in R.C. 20 or R.C. 50 Zones.

Mr. Arnold E. Jablon
November 19, 1992
Page 3

(3) The forest or developed woodland cleared shall be replaced according to an approved forest establishment plan. If the configuration of the site precludes on-site replacement, it is the applicants responsibility to secure an off-site area suitable for afforestation and in compliance with d(1) and d(2) preceding. If an appropriate off-site area cannot be located or secured, the County will allow the applicant to pay a fee-in-lieu" <Baltimore County Code, Section 26-453(c)>.

Finding: Designated Forest occurs on this property. Approved Building Permits allowed removal of over 50% of the Designated Forest in the early stages of the Chesapeake Bay Critical Area Program development. The applicant has been advised of the oversight. The Designated Forest shown on the plan will be established from this point. The applicant will discontinue mowing and shrub removal in the Designated Forest. This project will not impact additional Designated Forest as shown on the plan and is in compliance with this regulation.

5. Regulation: "Infiltration of stormwater shall be maximized throughout the site, rather than directing flow to single discharge points" <Baltimore County Code, Section 26-453(h)(2)>.

Finding: Stormwater runoff shall be directed from impervious surfaces associated with this plan, to previous areas, to encourage maximum infiltration. Rooftop runoff shall be directed through downspouts and into a seepage pit or dry wells, to encourage maximum infiltration. These measures will ensure that the requirements of this regulation have been met.

CONCLUSION

The Zoning Variance has been granted without Critical Area comments. This proposal will comply with Chesapeake Bay Critical Area Regulations if the applicant meets the requirements in Regulations No. 3, 4, and 5 of these Findings. If there are any questions, please contact Ms. Patricia M. Farr at 887-2304.

J. James Dieter
J. James Dieter, Director
Department of Environmental Protection
and Resource Management

JJD:SBA:ju
Attachment
cc: Mr. & Mrs. Stephen Kidwell
KIDWELL/WOCBCA

PLEASE PRINT CLEARLY

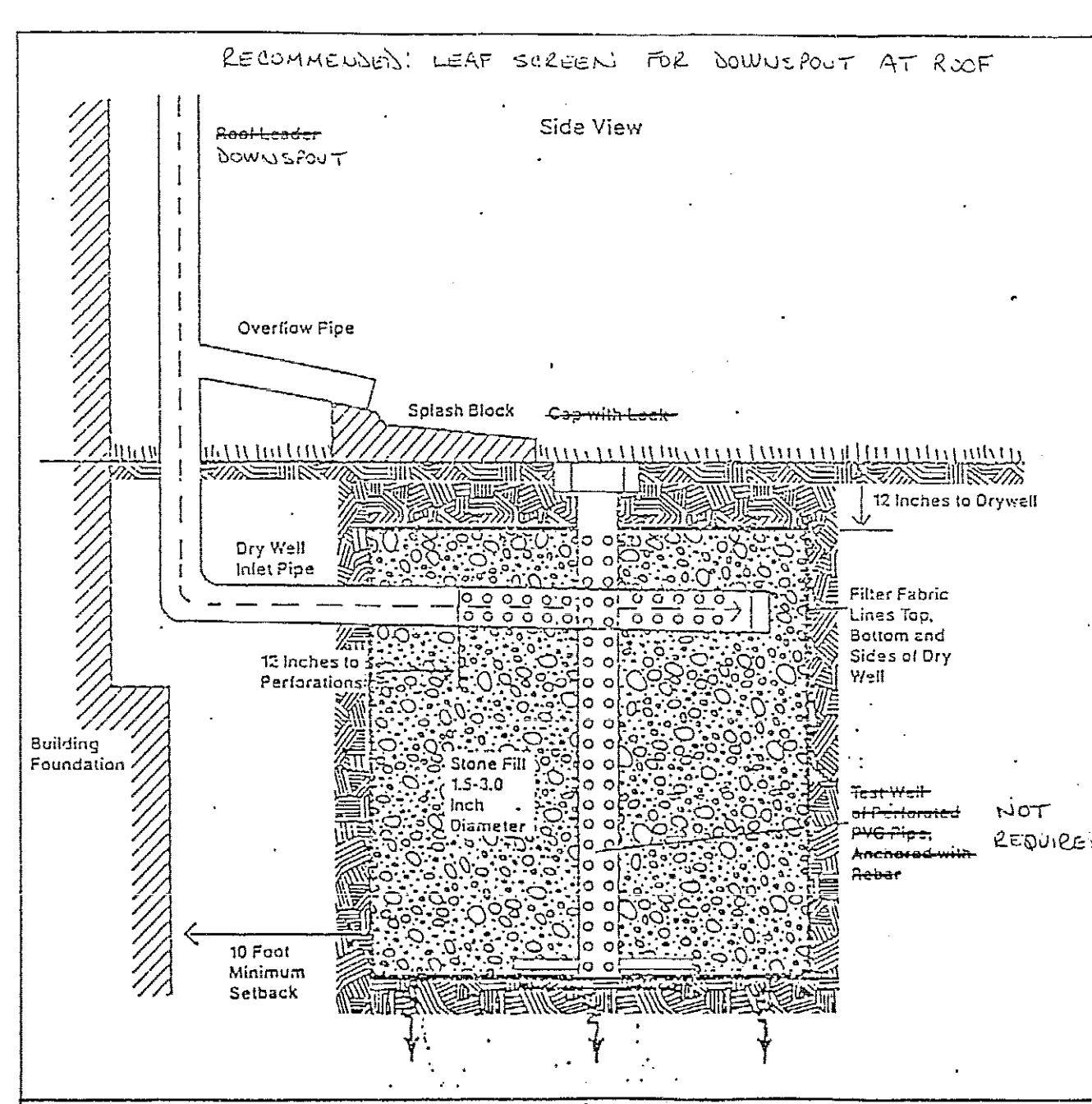
PETITIONER(S) SIGN-IN SHEET

| NAME | ADDRESS |
|-----------------|--------------------|
| ROBERT LONG | 3827 Annandale Rd |
| Lois L. Ruckman | 3312 Old Layton Rd |
| | 21222 |

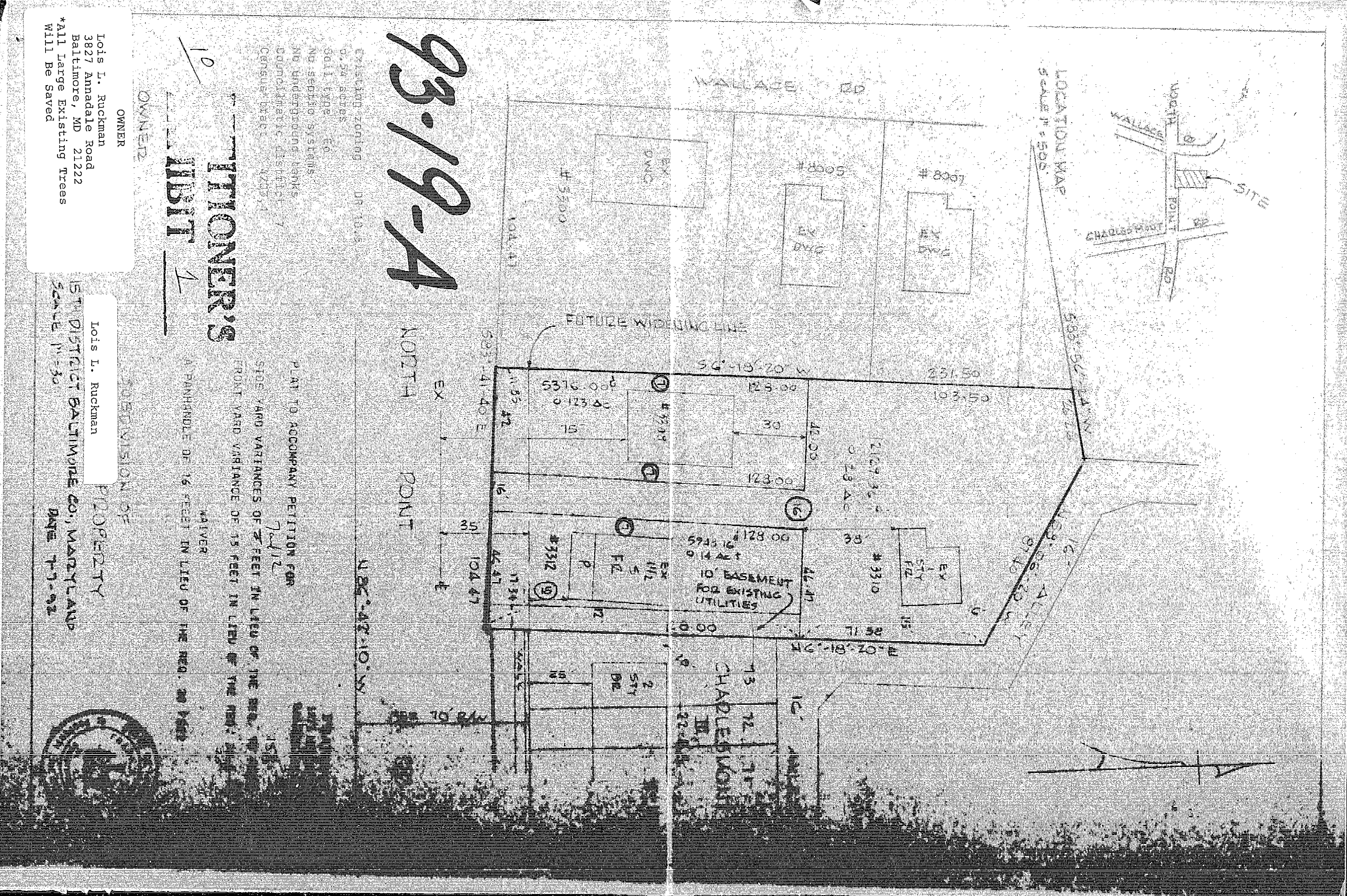
DESIGN 4:

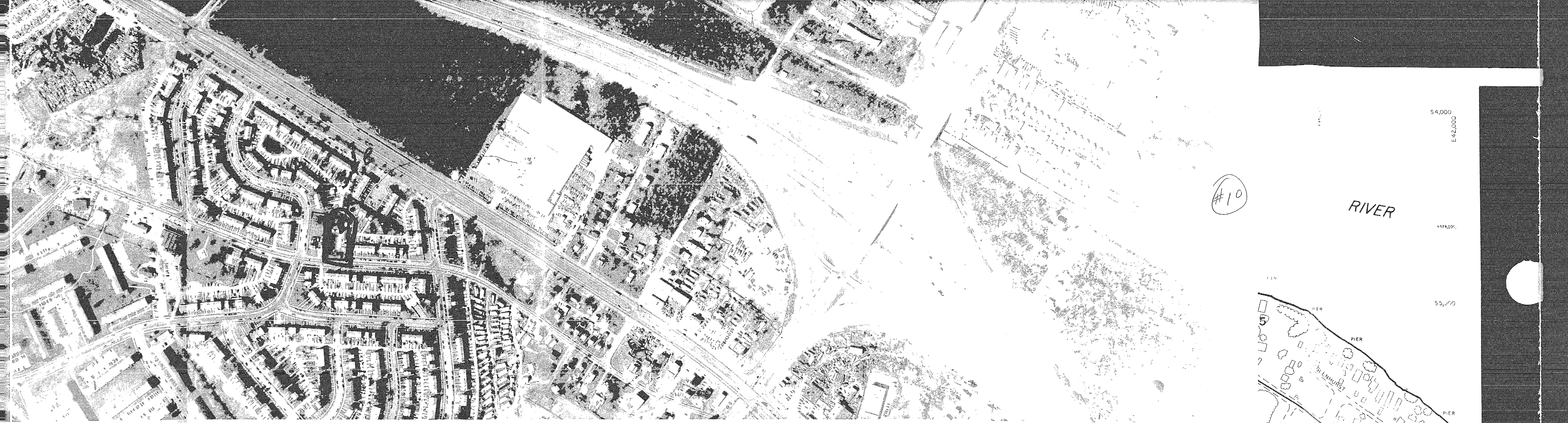
Dry Well Designs. (Figure 5.8). Dry wells are a basic trench variation which are designed exclusively to accept rooftop runoff from residential or commercial buildings (Figure 5.8). Additional guidance on dry well design is available from Md WRA (1984). Basically, the leader from the roof is extended into an underground trench, which is situated a minimum of ten feet away from the building foundation. Rooftop gutter screens are needed to trap any particles, leaves and other debris, and must be regularly cleared.

Figure 5.8: Dry Well Design (adapted from Md WRA, 1985)



VOLUME REQUIRED = AREA OF FOOTPRINT x 0.5 ÷ 0.4





BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

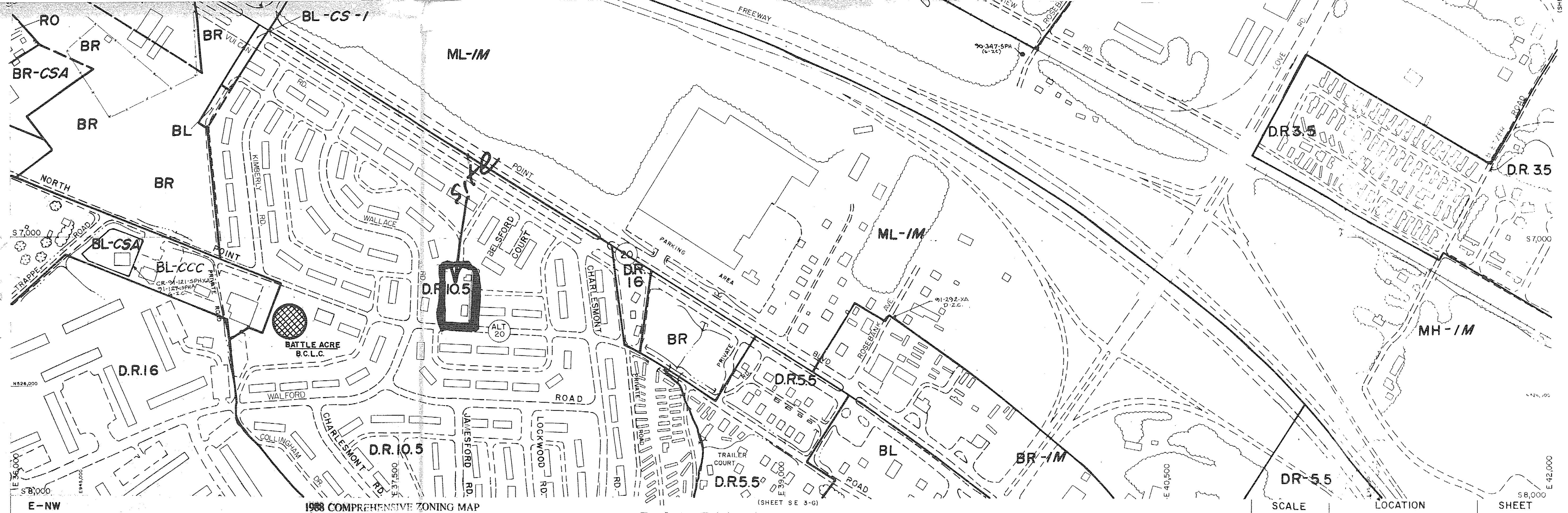
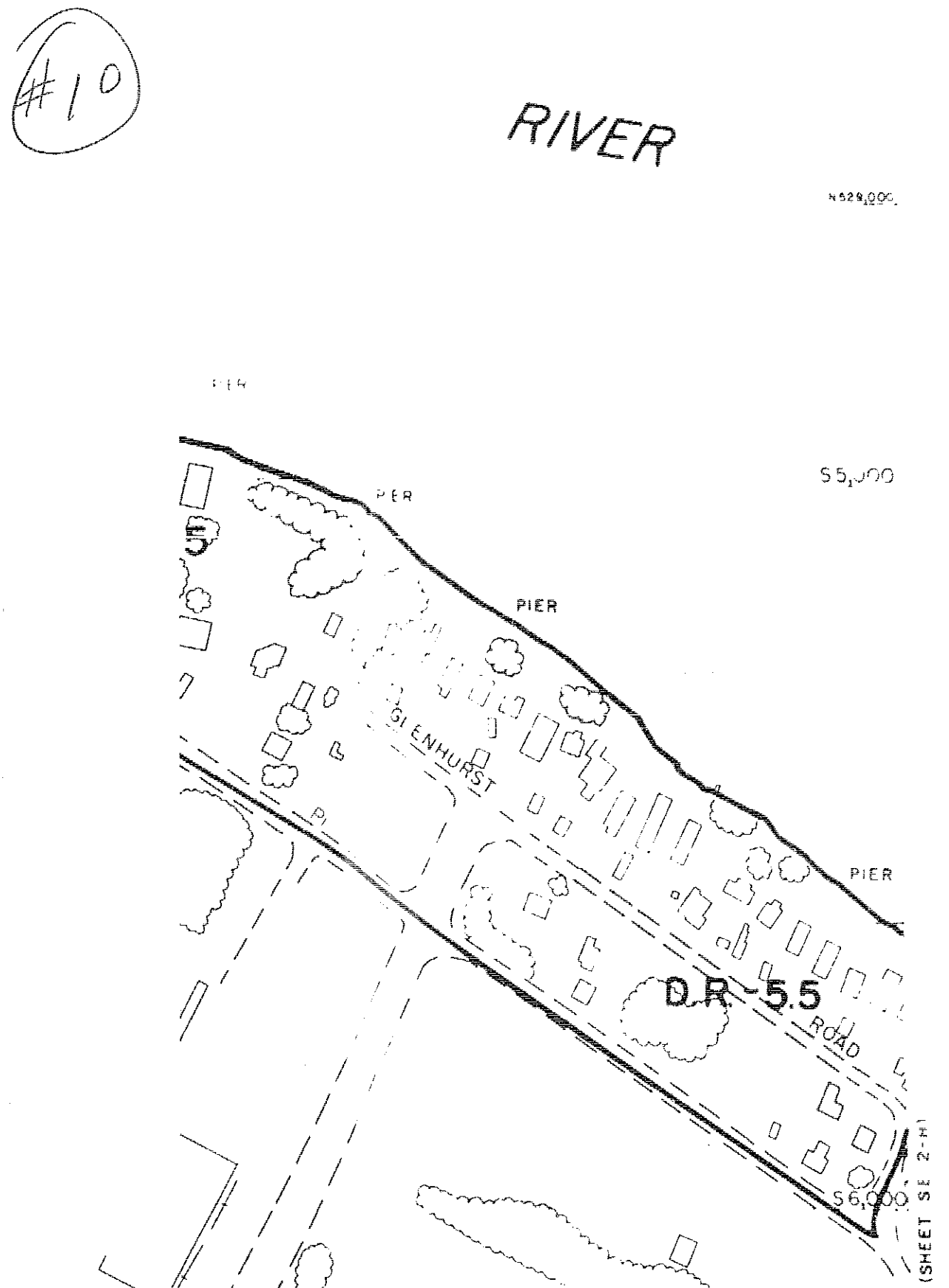
SCALE
1" = 200' ±

LOCATION
NORTH POINT

SHEET
S. E.
2-G

DATE
OF
PHOTOGRAPHY
JANUARY
1986

93-19-A



THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

1988 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 12, 1988

[Signature]
Chairman, County Council

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

SCALE
1" = 200' ±

LOCATION
NORTH POINT

SHEET
S. E.
2-G

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